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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91185968
Party	Defendant Goddard Ranch West, LLC
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Submission	Answer
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Date	10/01/2008
Attachments	Answer.pdf (4 pages)(152797 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark application Serial No. 77/394,954

For the mark: GW (DESIGN MARK)

Published in the Official Gazette on: July 22, 2008

WILLIAM R. GODDARD, JR.

Opposer,

v.

GODDARD RANCH WEST, LLC
A Texas Limited Liability Company

Applicant.

Opposition No. 91185968

Commissioner for Trademarks
PO Box 1450
Alexandria, Virginia 22313-1450

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, Goddard Ranch West, LLC, a Texas Limited Liability Company ("Applicant"), for its Answer to Notice of Opposition filed by Opposer, William R. Goddard, Jr ("Opposer"), in the above captioned case, alleges and states as follows:

1. Applicant admits the allegations contained in paragraph 1 of Opposer's Notice of Opposition.
2. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 2 of Opposer's Notice of Opposition and, therefore, denies those allegations.
3. Applicant denies the allegations contained in paragraph 3 of Opposer's Notice of Opposition.

4. Applicant admits that Opposer filed an application with the United States Patent and Trademark Office ("USPTO") to register the Paddle G mark on the Principal Register of the USPTO for livestock services in International Class 31, US Serial No. 77/448,674. Applicant denies the allegation in paragraph 4 that Opposer's application is based on his "long standing use" of the Paddle G mark. Applicant denies all other allegations contained in paragraph 4.

5. Applicant admits the allegations in paragraph 5 that Applicant is located in the same geographic trade area and intends to use the Paddle GW mark for the same goods as Opposer uses his Paddle G mark. Applicant denies all other allegations contained in paragraph 5.

6. Applicant denies the allegations contained in paragraph 6 of Opposer's Notice of Opposition.

7. Applicant denies the allegations contained in paragraph 7 of Opposer's Notice of Opposition.

8. Applicant admits the allegation in paragraph 8 that registration of its mark would give it the prima facie exclusive rights to use the Paddle GW mark. Applicant denies the remaining allegations in paragraph 8 of Opposer's Notice of Opposition.

9. Applicant admits the allegations contained in paragraph 9 of Opposer's Notice of Opposition that Opposer filed a civil suit in the Western District of Oklahoma, Case No. CIV-08-721-D, alleging trademark infringement. Applicant denies that it has committed any acts of trademark infringement, unfair competition alleged by Opposer in the civil action. Applicant further denies that Opposer is entitled to any relief set forth in its civil suit.

10. Paragraph 10 of Opposer's Notice of Opposition contains a statement of Opposer's filing fee and payment methods and, as such, requires no response from Applicant.

11. Applicant denies that Opposer will be damaged by the registration of the mark in Application Serial No. 77/394,954.

12. Applicant denies each and every allegation contained in Opposer's Notice of Opposition not specifically admitted in this Answer.

AFFIRMATIVE DEFENSES

In further answer to the Notice of Opposition, Applicant asserts the following affirmative defenses:

13. Applicant alleges that Opposer is barred from bringing this proceeding due to his unclean hands.

14. Applicant has priority over Opposer to the Paddle GW mark.

15. Opposer lacks standing to file this Opposition against Applicant.

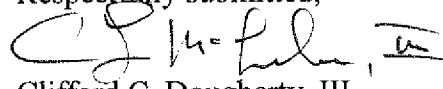
16. Opposer does not own the Paddle G mark, which is the basis for this Opposition.

WHEREFORE, Applicant prays that the Notice of Opposition be dismissed in its entirety, with prejudice, and that a registration issue to Applicant for Application Serial No. 77/394,954.

Please direct all further correspondence in this case to:

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Respectfully submitted,



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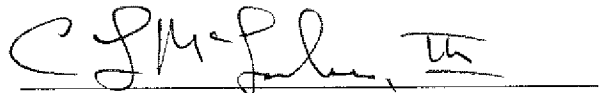
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CERTIFICATE OF SERVICE

This is to certify that on this 1 day of October 2008, a copy of the foregoing Applicant's Answer to Notice of Opposition, was sent by Express Mail to:

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